



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS PROCEEDINGS

Courthouse, Clay Center, Nebraska, May 17, 2011 at 9:00 A.M.

The Clay County Board of Supervisors met May 17, 2011 as per public notice given in the Clay County News on May 11, 2011 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting and on the county website. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Anderson, Johnson, Shaw, Schmidt and Fintel. Minutes of the meeting held April 26, 2011 were sent to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Johnson and seconded by Nuss to approve the minutes of the meeting held April 26, 2011 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

There was no public input at this time.

Thomas Roemmich II, Highway Superintendent reported that they were done with driveways and culverts; they have started on bridges on Road U; the Harvard East Project is done; mowing of the roadside ditches with the new mower started yesterday. Tom explained about changes in the Federal Aid program. A decision will be made in July and then agreements will be sent out. If you choose to participate, you can accumulate the allocation money over a period of years to be used for bridges and non-routine maintenance of roads.

Motion by Shaw and seconded by Johnson to direct the Highway Supt. to start the Engineering study for stop sign installation on the intersection of Road 307 & Road V. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Charlie Rudeen, NMC presented the Caterpillar Financial Service Corporation Governmental Equipment Lease-Purchase Agreement for the 2011 skidsteer; terms are the same as previous years.

Motion by Shaw and seconded by Nuss to authorize the chairman to sign the Governmental Equipment Lease-Purchase Agreement between Clay County and Caterpillar Financial Services Corporation for lease of a 2011 skid steer; terms the same as last year. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Motion by Schmidt and seconded by Samuelson to open the public hearing concerning closure of part of Road R in Eldorado Township at 9:17 A.M. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.



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Those present were asked if they had any comments or concerns about closing the road. A concern over who is responsible for surveying once the road is closed was mentioned. When a road is closed, one half of the road becomes a part of the adjacent land. Tom explained the surveying procedure followed by the county in marking the road. If the landowners want the centerline surveyed, that would be at their expense.

Motion by Anderson and seconded by Nuss to close the public hearing at 9:25 A. M.
On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel.
Motion carried.

Motion by Nuss and seconded by Shaw to adopt Resolution #11-05 to close the North .2 mile of Road R between Sections 2 & 3 in Eldorado Township. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

RESOLUTION #11-05

WHEREAS, The North Two-Tenths (0.2) mile of Road R between Section 2, Township 8 North, Range 6 West, and Section 3, Township 8 North, Range 6 West, Eldorado Township, is a township Road, and;
WHEREAS, The Eldorado Township Board has requested the section of road be closed and a public hearing be held to consider the closing, and;
WHEREAS, The Highway Supt. reported the road is a dead end, has not be maintained for many years, would not deny any land access to any adjoining landowners, and would be in the public's best interest to close the section of road, and;
WHEREAS, A public hearing was held on May 17, 2011, with no public input.
BE IT RESOLVED by the Clay County Board of Supervisors, in regular session assembled on May 17, 2011, that the Township Road described as:

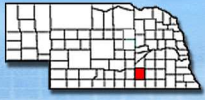
The North Two-Tenths (0.2) mile of Road R between Section 2, Township 8 North, Range 6 West, and Section 3 Township 8 North, Range 6 West, Eldorado Township, Clay County, Nebraska,
Is hereby declared to be closed.

DONE this 17th day of May 2011 at regular session of the Clay County Board of Supervisors

MOTION by Nuss, to adopt the foregoing resolution, and second by Shaw, and upon roll call vote, 7 Yes 0 No 0 Absent
Ivan Fintel, Chairman Deb Karnatz, Clay County Clerk

Diane Fowler, Executive Director of Midland Area Agency on Aging and Carrie Breinig, Director of Clay County Senior Services met with the board to discuss the membership contribution for the next fiscal year. There is no increase from the previous year for the membership or for the help with commodity distribution. Diane explained that the \$1507.00 membership fees were 95 cents per person over age 60. Some of the fees are used for care giver advocacy and legal services. Carrie explained the congregate meal programs that are now in Sutton, Harvard and Clay Center. Meals are also delivered to homes in Harvard, Edgar and Sutton. Diane and Carrie thanked the board for the interest and support they receive from Clay County.

Motion by Anderson and seconded by Shaw to grant the budget request of Midland Area Agency on Aging for fiscal year 2011-2012 in the amount of \$1507.00 and to



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budget \$1500.00 for the commodity and meal distribution program. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Bruce Rumsey, Weed Superintendent presented two quotes for an overhead door for his building. Raynor Garage Doors of Ce. Ne., Inc. and Overhead Door of Hastings both submitted bids. Overhead Door had the most complete bid as well as being the lowest.

Motion by Shaw and seconded by Anderson to accept the quote from Overhead Door of Hastings for an overhead shop door for the Weed Control building. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Janis Johnson, Director Clay County Health Department presented the quarterly report for that department. Janis explained that the community health visits were through the County Health Department and the home health and hospice visits were contracted with Mary Lanning Memorial Hospital.

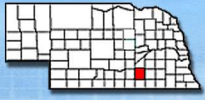
Nuss reported that he, Janice Stratman County Treasurer and Gene Ulmer the county's budget preparer had met with Deann Haeffner Assistant Deputy State Auditor and received several useful suggestions to help with the budget preparation. Gene Ulmer will meet with the board in the near future to go over budget preparations.

The chairman told the board that he and the vice chairman had been discussing the benefits of giving the advisory conservation committee more authority to speak on the Boards behalf at meetings the Board could not attend. The group, consisting of Josh Andersen, Kyle Kinyoun and John Taylor, would continue to keep the board informed of issues and act as spokesmen for the board. The board will talk to the County Attorney about this.

The quarterly visits to the jail were discussed. There has not been any policy as to how this has been done in the past. It was decided that on the day the quarterly visit is to be made, a committee of two or three board members will be designated to do the visit; alternating board members for the different quarterly visits.

The chairman asked if there was any other discussion on budget preparation. The clerk asked the board what information they wanted sent to them before budget hearings are held with the different departments. The board requested that at least the amounts from the old budget, new budget figures and totals be submitted ahead of time. Carol Rose, who was in attendance asked if she could ask a question about the present and past budgets. She wanted to know why over \$30,000.00 has been spent for an out of county attorney over the past two years. The boards response was that they needed to do so because of pending cases. The need to budget for unexpected things that could be costly to the county was discussed. This will be discussed with Gene Ulmer.

Letters received from Harvard and Sutton City Councils regarding the Special Response Team were discussed. Law enforcement from Sutton and Harvard as well as two Clay County Deputies were present for the discussion and answered questions from the board. The board asked the Chief Deputy if he and the Sheriff had had time to discuss this and what their stand would be on this. He replied that there has been no discussion



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since the last board meeting. The consensus of the board was that they needed to know what the County Sheriff's opinion was before they could make any decision. Discussion confirmed that everyone needed to be on board for this to work. Some of the area law enforcement and Clay County Chief Deputy met last night to discuss and put together some thoughts. A rough draft of those ideas was presented to the board. Board member Nuss will check with NIRMA about liability concerns and the board will ask the Sheriff to be at the next meeting to discuss this again.

The emergency management committee presented the latest proposal from Adams County. Nuss said the proposal looks enticing money wise but one of the problems they see is work load issues. It was questioned whether a part time person would be sufficient and felt it would be hard to find someone for part time. His recommendation was that Clay County as a whole needs a full time emergency manager and that he didn't know if a region approach would be in the best interest of Clay County at this time. Johnson said he agreed that it may be hard to get a part time person. He thinks a regional approach may be needed in the future but thinks they need to start sooner and get more organized. Samuelson asked if other counties were involved in a region and if they were making it work. Nuss replied that the region they spoke with involves smaller counties so it is different than our situation plus we want someone that will be hands on and not just an office person. Johnson said we want more a response type manager. Nuss agreed that is what the responders want. Shaw said that he thinks that the board should listen to the volunteers that met with them and respect what they had to say; need the volunteers to keep working together. He doesn't think that a part time deputy as part of a region is what Clay County expects. If there is a need to look at a region approach in the future, he would recommend bringing in all emergency responders/volunteers and explain the situation and have them be part of the process. The chairman asked the other board members their thoughts. Schmidt commented that volunteers can only do so much and only have so much time. Anderson said several people had told him they thought Clay County should have their own emergency manager. Johnson said he had people tell him Clay County doesn't need an emergency manager.

Motion by Shaw and seconded by Nuss to advertise for a full time Emergency Manager for Clay County with guidance from the County Attorney and the Emergency Management Consultant. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Anderson and Fintel; nay: Samuelson. Motion carried.

Loren Uden, EM consultant did not meet with the board. The chairman told the rest of the board that Loren needed a cell phone; consensus was that he should get one. The chairman reported that Loren had also ordered a scanner and the software for the ID machine.

Ted Griess, County Attorney did not meet with the board.

Motion by Johnson and seconded by Anderson to recess at 11:46 A.M. to enter session as the Board of Equalization. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.



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Motion by Johnson and seconded by Samuelson to resume session as the Board of Supervisors at 11:56 A.M. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

The fee reports were circulated for review. Motion by Shaw and seconded by Samuelson to accept the fee reports for the following county officials for the month of April 2011: County Clerk, \$6,595.85, County Court \$11,499.89, Clerk of District Court, \$13,213.52, and County Treasurer receipts #11040001 thru #11040075 in the amount of \$250,139.32; and for the County Sheriff's fee report for the month of March \$2,551.29. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

The contract with Tina Nelson, administrator of the ID software will be put on next week's agenda.

The changes to the BCBS dental plan were distributed to the board. Deb Karnatz, County Clerk and Supervisor Nuss will attend the BCBS information meeting and report back next week.

The chairman asked if there was any public comment; there being none, he called for a motion to adjourn.

Motion by Johnson and seconded by Samuelson to adjourn this meeting at 12:12 P.M.; next meeting scheduled for May 24, 2011. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman